

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

SHAUN D. DAVIS,

Plaintiff,

v.

VALLEY POLICE DEPT., et al.,

Defendants.

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) Case No. 2:22-cv-01419-ACA-JHE
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ORDER

Plaintiff Shaun D. Davis filed a *pro se* complaint pursuant to 42 U.S.C. § 1983, alleging violations of his rights under the Constitution or laws of the United States. (Doc. 1). On November 14, 2022, the magistrate judge entered a report recommending that the court transfer this case to the United States District Court for the Middle District of Alabama pursuant to 28 U.S.C. § 1404(a). (Doc. 3). The magistrate judge advised Mr. Davis of his right to file objections to the report and recommendation within fourteen days. (*Id.* at 4).

Court staff received a voicemail message from Mr. Davis in which he requested an extension of time to file objections to the magistrate judge's report and recommendation due to a delay with his mail. (Doc. 5 at 1). The magistrate judge denied Mr. Davis's verbal request for an extension of time on December 6, 2022, and ordered him to file a written motion within seven days. (*Id.*). The court has

received notices from Mr. Davis in which he states that he no longer wishes to file objections to the magistrate judge's report and recommendation. (Docs. 6–8).

Having carefully reviewed and considered all the materials in the court file, including the report and recommendation, the court **ADOPTS** the magistrate judge's report and **ACCEPTS** his recommendation.

Accordingly, the court **TRANSFERS** this case to the United States District Court for the Middle District of Alabama for further proceedings.¹

The Clerk is **DIRECTED** to mail a copy of this order to Mr. Davis.

DONE and **ORDERED** this January 4, 2023.



ANNEMARIE CARNEY AXON
UNITED STATES DISTRICT JUDGE

¹ Mr. Davis has filed an application to proceed *in forma pauperis*. (Doc. 2). The court finds that the receiving court should consider assessment and collection of the filing fee.